SUPREME COURT, U.S.

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In the Supreme Court
OF THE
United States

OCTOBER TERM, 1955

No. ~~308~~ 6

OLETA O'CONNOR YATES, et al.,
Petitioners,

vs.

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO FILE RECORD ON APPEAL WITHOUT PRINTING PORTIONS OF SAID RECORD.

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To the Honorable Earl Warren, Chief Justice, and to the Honorable Associate Justices of the United States Supreme Court:

The reporter's transcript in the above-entitled matter is more than 15,000 pages in length. The exhibits number more than 500 and most of them are voluminous, consisting in large part of books, mag-

azines, newspapers and similar publications. The United States Court of Appeals for the Ninth Circuit, pursuant to its order, heard the case on a record consisting of photo offset copies of those portions of the reporter's transcript setting forth all of the evidence in the trial court, a single typewritten copy of the clerk's transcript in the court below, printed appendices filed separately by the parties setting forth that portion of the evidence which the parties desired particularly to direct to the attention of the court, and the original exhibits.

The printing of the entire record in this Court would be very expensive and impose a great burden upon the petitioners. It is practical to file a record composed of the record in the court below and other items which will be reasonably suitable for this Court's needs in hearing the case.

For these reasons petitioners move for permission to file a record consisting of the following items:

1. Ten copies, in addition to the single copy now on file, prepared by a photo offset process, of all portions of the reporter's transcript containing the evidence submitted in the trial court, said copies to be corrected on their face in accordance with the order of the trial court, and the stricken portions of said record to be indicated on each copy; petitioners propose to bind the said record in stiff covers with several volumes of the reporter's transcript to be included in each bound volume.

2. Designated portions of the clerk's transcript to be printed pursuant to the rules of this Court, in-

cluding therein all of the proceedings had in the United States Court of Appeals and the opinion of the court below.

3. One copy of the printed appendices filed in the court below, in addition to the ten copies already on file in this Court.

4. The original exhibits.

Wherefore, petitioners pray that an order permitting the filing of the record as hereinabove described be entered herein.

Dated, San Francisco, California,
October 26, 1955.

Respectfully submitted,

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